

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY S. OGBURN,

Defendant.

Case No. CR08-5407RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon the Government's Motion for Detention [Dkt. #46]. Having considered the entirety of the records and file herein, having read the transcript of the detention hearing before Magistrate Judge Janice H. Stewart in the United States District Court for the District of Oregon, and having heard the argument of the parties, the Court finds and rules as follows:

On June 11, 2008 the defendant appeared in the District of Oregon, pursuant to Fed. R. Crim. P. 5(c), was released on his personal recognizance with pretrial services supervision and directed to appear in this district. On June 18, 2008 the defendant made his initial appearance in this district and was arraigned by Magistrate Judge Brian A. Tsuchida. Judge Tsuchida set the detention hearing before this Court.

The Court is concerned about the allegedly "lost" weapon and the threats to witnesses. However, the witnesses testified before the Grand Jury nine months and three months ago. There has not been any reported incidences of the threats being carried out, and the witnesses have testified that they did not feel threatened. The Court is convinced that detention is not necessary. Therefore, the Court finds that there exists "conditions

1 of release that will reasonably assure the appearance of [Mr. Ogburn] as required and the safety of any other  
2 person and the community[ ]” 18 U.S.C. §3142(g), and hereby continues the defendant on the bond set in the  
3 District of Oregon.

4 **IT IS SO ORDERED.**

5 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing  
6 pro se.

7 Dated this 26<sup>th</sup> day of June, 2008.

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10 RONALD B. LEIGHTON  
11 UNITED STATES DISTRICT JUDGE  
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